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NSW Wild Caught Fishers Coalition

Submission

to the

Productivity Commission

ENQUIRY INTO

Fisheries and Aquaculture

Yours faithfully

Dane Van Der Neut.

President



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INTRODUCTION

The NSW Wild Caught Fishers Coalition (WCFC) is just one year old, it has 312 commercial fishing members who fish the waters of NSW.

For more than 8 years the NSW commercial fishers have been trying to address their frustrations with the management of their fisheries in a fragmented and disillusioned process. This came to a head in 2014 where meetings were called bringing together representatives of the Commercial fishers from across the state, under a verbal MOU known as the Coalition of NSW Catchers Groups, Associations and Individuals. Delegates from the Sydney Fish Market and the Co Ops Association, representatives of the professional Fishermen's Association, together there were 26 delegates at the table and four meetings were held. By 2015 it was decided to incorporate a new organisation to unite the industry and give each region an identity under the one umbrella of the Wild Caught Fishers Coalition. The organisation now has five regions working collaboratively for their specific regions i.e. regions 1, 2, 3, 4 and 5.

There still remains conflict within the Industry representation due to the involvement of Commercial fishers on the Board of the Professional Fishermen's Association and their support for the initial review, the terms of reference of that review and the subsequent proposed reform of NSW Commercial Fisheries, subsequently there are two representative organisations for the NSW commercial/professional wild harvest fishers.

There were many issues in the proposed Reform package – see submission to the Structural Adjustment Committee attachment (a) Minutes of meetings held by WCFC.

Meetings were held with fishers across the state; these meetings were minuted and forwarded to the new Minister for Fisheries the Hon Niall Blair. The Minister noted at a meeting on the 14th March 2016 that the WCFC committee were right in outlining and objecting to the issues raised by Industry on the Reform and it's badly managed process which was deemed unacceptable to Industry. The reform has not progressed. This delay is unfortunate but definitely necessary for the overall viability of our fishers and their future businesses

This identifies the impacts of the present legislative and regulative inadequacies that this industry has been dealing with over and over again in dealing with the policy and culture of Fisheries management in our state. The NSW Fisher's mental health and wellbeing has become a significant issue for most if not all families.

Please note the study: *King T. "A Different Kettle of Fish"*



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Interaction of environmental and Fisheries management Regulations

How are they measured, allocated and controlled.

Comment:

- The measuring, allocation and control of our Fisheries appears now to be directed and controlled by political parties to gain seats at elections. This can be demonstrated by recent events whereby Political parties utilise the closures and buy-outs of commercial fishers for the purpose of recreational fishing only areas as a tool/sweetener to the community to support them. Communities are not informed accurately, not consulted fairly, and the ballot box determines the outcomes. E.g. Port Phillip Bay, Victoria where third party certification was also held. This creates a precedent for the rest of the community who then target other areas for the same result. There are many examples in Qld and NSW too that can also be identified.
- Currently in NSW the Hawkesbury Shelf Marine Bio Region consultation has targeted as one of its main management recommendations the removal of commercial fishers from Pittwater based specifically on conflict, publically backed by the local sitting member politically with this being one of his promises prior to the last election.
- There appears to be a disparity between the management of commercial fishers and their impacts on the environment and the management of Recreational fishers who harvest commercial quantities of fish and impact threatened species without adequate reporting and a clear documented process of product traceability from the boat to the table.
- There is a definite targeting of increasing exclusive access of recreational fishers to our waterways and primarily dictated by a select few to politicians and specifically used as a tool for favour in voting at elections.
- The measuring of the commercial fishers catch by recording of catch statistics is stringently regulated.
- There is NO adequate measuring of recreational fishing catch at this time.
- NSW commercial fishers have completed (I might say as a result of the demands of recreational fishers) Environmental Impact Assessment and Management plans.
- Recreational Fishers are not required to have environmental Impact assessment nor do they have management plans however, they have 30% of the Lakes and estuaries exclusive to Recreational Fishing Only areas. Areas that once produced significant quantities of fish consumption for all of the community.
- The use of the precautionary principle rules seem to be pointless if they are not used to manage both fisheries.
- The current method of management of Fisheries needs closer scrutiny in how recreational lobbyists achieve outcomes at the expense of sustainable commercial fishers and the overall sustainability and accountability of fish stocks.
- Should recreational fishing numbers be controlled and capped in NSW or maybe implement allocated days they can fish. As it stands region by region the so called fishing licence is not a method of control licence but a fee for raising funds. (see legislation and regulation NSW fisheries).



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To sum up:

- *The rules of management applied to commercial fishers should be equally applied to the recreational fishery if it wants to be determined an industry in its own right.*
- *If quota is mandatory for all commercial fishers there needs to be a determination of the collective harvest and capacity of recreational fishers and their bag limits need to be appropriate! Examples are the rules that apply to recreational fishers to catch crabs recreationally in NSW and the disparity between them and the allowance of catch for commercial fishers.*
- *There needs to be recognition of the social value and community benefits that commercial fishers have.*
- *We note the description of values in the issues paper for recreational fishing these values equally should be applied to commercial fishing as well as their economic value.*
- *There needs to recognition of the environmental impacts that the community have on the productivity of aquatic ecosystems and the survival and health of fish – see The Productivity of Aquatic Ecosystems are reliant on Water Managers and Sustainable Cities Howard M. 2012.*
- *There needs to be a stop to the political use of constant buy-outs in exchange for settling conflicts that recreational fishers have due to their inability to share the resource. Management must be by sharing the resource fairly and this should be achieved in consultation with all parties in their specific regions. Consumers who do not fish need to be recognised.*
- *Policy needs to be changed to stop the culture of targeting commercial fishers and their removal from fishing as a tool to resolve sustainability of fish resources – in NSW this has been going for far too long (more than twenty years) that it is ingrained into the community as fact. See The Challenges of Wild harvest fishing for Food –The NSW example Howard M.*



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Whether regulations are transparent, proportionate, consistent, and effective, targeted and promote accountability:

Comment:

- From a commercial Fishers perspective across NSW the Industry is working towards a united industry group to be able to proactively interact with the changing of NSW regulations and political targeting of our Industry.
- This industry has been reviewed, restricted, removed, access reduced, revised and now reformed over and over again with each political cycle after political cycle for more than twenty years.
- Recreational fishers utilised 20 million as soon as the recreational fee/licence was introduced to push for their recreational fishing Havens and buy out commercial fishers – yes politically driven by the then Minister Eddie Obeid and Director Steve Dunn. Detrimentially targeted.
- It is pointless to debate regulation while politics can simply utilise the run for elections to whip up cause for removal of commercial fisheries on the whim of the recreational fishing lobby groups, groups that are backed by tackle importers, magazine suppliers, journalists and DVD producers. All very public and unfairly targeted.
- They now have a precedence process that they believe is their just right to exercise to remove commercial fishers irrespective of the commercial fisher's adherence to regulation and accountability. It's a biased legislation backed by government.
- Security is NON existent. Recreational fishing accountability is out of control, political accountability is improper and manipulative to appease voting at elections. So what is the point, where do we stop? Commercial fishing accountability is heavily locked in to legislation and regulation. They must report catches which these must be done with regularity however regulation seems to primarily target removing commercial fishers for the promotion and good of recreational fishing. Yes, regulation is needed but not as a targeted campaign in a manner that is unacceptable to the commercial Industry. The regulation that controls and monitors recreational fishing seems to be somewhat haphazard and not consistent nor targeted. Do 10% catch 90% of the fish?

To sum up: Current regulation ensures accountability of commercial fishers. It certainly is not regulating the activities of recreational fishing to the point of environmental Impact assessments and management plans.

The focus of regulation in NSW is now to remove any endorsement that is not being actively utilised because of some perceived threat of over fishing – we now have less than 1000 active fishers!!!! All this as well as the effect of being squeezed into less ground access

On the other hand, the government's recreational fishing promotion for increased fishing participation continues. A targeted campaign at the detriment of the Commercial Fishing Industry.



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Ways to improve cross jurisdictional and multi – jurisdictional regulatory arrangements (information services sharing).

Comment:

- As the writer of this document my experience with NSW State agencies is that there is a very poor interaction between state government portfolios and similarly in the Science world of Universities the competitive nature of these institutions appears to restrict information sharing. It also seems prevalent to utilise the practice of “modelling” to create a government driven outcome versus using reality to determine a factual and mutual effective outcome.
- In terms of the regulations state by state, the variability of fisheries region by region, climate region by climate region are very different around the country. Regulations would have to be specific to each state region and fisheries. We know that regulations that control a fishery in one river may not be applicable to another here in NSW and affects fishers capacity to work and the environment he works in.
- It is essential that each state has interaction with the people who understand the capacity of the fishery and the climatic environment they work in. Climate change has been occurring for a long time and fishers are well in tune especially those who have been in the industry for over thirty years.
- In the management of fish resources there needs to be cross jurisdictional communication with water managers especially in development of dams, effluent disposal, residential and commercial developments and agriculture water supply.

To Sum Up: each state would surely have to regulate according to the fisheries they manage.

Cross border management should be common and surely this too can be worked on with all participants.

Water management of cities and towns affect the productivity of fish resources and the health of all aquatic species.



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Scope to increase accreditation schemes to reduce regulatory burden

- Once again there seems little point in entering any accreditation scheme for security and accountability: Fishers in Victoria's Port Phillip Bay had third Party accreditation – they have lost their rights to fish thanks to the political goal of local political members and the party politics to reach 1 million recreational fishers in the Bay.
- What does accreditation achieve for the state fisher – is it that his practices are sustainable? The purchaser buys the product on the sustainability tick which falsely implies and our fish resources are OK if the fishers practices are OK, the fact is this is not the case.
- The practices of commercial fishers are but one aspect to sustainable fisheries; this is a whole of community accountability issue.
- The accreditation is simply in instilling a culture in the minds of communities that to have sustainable fisheries all you have to do is have sustainable certified commercial fishing practices – this is NOT true, and this burden should NOT be placed on the states fishing Industry.
- It is wrong and it is discriminatory to tag the Industry in this way as a marketing ploy – nothing more.

Sustainability and productivity of our countries fisheries is reliant on multiple events across many jurisdictions.

1. Population growth and its management.
2. The development of cities and towns and the management of the infrastructure to each and every development that utilises water and effluent disposal systems. See attachment *the productivity of Aquatic ecosystems is reliant on Water Managers and Sustainable Cities. Howard M. 2012*
3. The health of the communities that live in those cities.
4. The disposal regimes of waste and in particular chemicals.
5. The recreational fishing industry harvest without environmental impact assessments.
6. The development of fish restocking regimes by governments.
7. The climate that you cannot control.

To Sum Up: This is not supported for our state fisheries. It is cost prohibitive, unnecessary and gives a false impression to communities about the realistic issues for fish sustainability - it is a falsehood in fact.

It is noted that the Vice Chair of the Marine Stewardship Council Board (*a highly costed program of perceived accreditation*) is Professor Keith Sainsbury who is also a member of the AFMA commission.



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Optimum cost recovery from Industry

- It is confusing to say the least to argue what is the optimum cost recovery from the commercial fishing Industry.
- The Industry harvests fish (food or bait) for the community.
- The community are considered owners of the resource.
- The policy of user pays seems twisted given the imbalance of commercial fisher's numbers to the recreational sector.
- In NSW the Fisheries Managers of the commercial fishery have been campaigning for at least twenty five years in removing commercial fishers from harvest access and effort. See *The challenges of Wild Harvest fishing for food – the NSW example Howard M.*
- Is this removal or reduction campaign of the commercial fishing fleet working to benefit the Industry or is this working to benefit another fishery sector.
- The industry has been reduced, removed, restricted, reformed and reviewed over and over again for more than twenty five years.
- The number of fishers in NSW rose to 6,000 and has been reduced progressively to 4,000 to 3,000 to 2,000 and now less than 1000 pending what document you read.
- The fees have continued to rise and with full cost recovery planned it would seem there is an urgent need to justify why we should pay to have ourselves continually removed, restricted, reformed and reviewed along with a culture that continually carries out the practice of publically stating these changes in direction are in the interest of Sustainability and/or viability. This process puts doubt amongst the community fostering in their eyes that we have a sustainability issue and that management of sustainability of fish resources is the sole responsibility of the commercial Industry. Meanwhile we are squeezed in to smaller and smaller areas of access.
- The government's policies seem to in still in the community's minds that recreational fishing is an acceptable practice to foster.
- The Governments' policies seem to also in still in the minds of the communities that the Commercial/ professional fishing Industry, on the other hand, is a practice to diminish.
- Cost recovery should be based on providing a service to the Industry to diminishing it.
- It would seem that with less fishers there should be a corresponding decrease in departmental employees.

To Sum up: If full cost recovery is required then the Industry must be given a satisfactory reason to pay for that management other than constantly removing them, restricting them, reducing their access and reviewing and reforming them over and over again.

Where is the promotion that is written in the ACT?

They should have security – which cannot occur while politicians utilise us as a political football.

Some costs should be borne by the owners of the resource who are requiring that resource for food and or bait.

We do not support resource rental charges.



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How to balance commercial, recreational and indigenous interests

- NSW commercial fisheries have a plethora of gear restrictions, area access restrictions, boat size restrictions, days worked restrictions and they are capped in number.
- Commercial fishers cannot fish in the 30% of Recreational only fishing grounds that recreational fishers have acquired since 2002.
- With Marine Parks, Aquatic reserves restrictions as well as a multitude of topography issues restrict fishing in the areas that are actually open to fish.
- Progressively across the state the areas for commercial fishers to be able to harvest fish have been reduced ongoing since 2002 although it must be noted the Recreational sector has acquired 30% of the states estuarine and lakes for exclusive recreational use. In capacity of fish harvesting an example can be cited that Lake Macquarie was once the highest catch per unit effort commercial lake fishery producing on average 300 tonnes a year in product. Today this is an exclusive recreational fishing area.
- Buy- outs are now the cancer that is politically abused by both the politician and the recreational sector and the inducements that progressively shifts resource share from an aging commercial fishing population (because young fishers are No longer encouraged to fish) to the recreational fishing industry.
This relentless process is destroying the cottage based industry that was once life blood of the NSW commercial fishery.
- Recreational fishers can still access the harvest areas that commercial fishers work in as well. The continued use of politics to remove commercial fishers in pre-election promises to support the recreational fishing industry proponents must be stopped as our Industry and futures have NO security. We cannot see a future of security while this inducement political jockeying is fostered and utilised around the country like a cancer.
- We must note that 87% of seafood consumed in NSW is imported.

In summing up we would suggest a freeze on any further loss of access to harvest grounds or reduced effort to commercial fishers until such time as a complete and transparent environmental impact assessment is completed for recreational fishing inclusive of better catch statistics and better regulatory control on illegal fishing. Along with a real evaluation of the combined average commercial catch transferred to the recreational fishing community based on 2000 to 2004 figures.

We would recommend an evaluation that allows a return to some specific commercial fishing in recreational fishing only havens working collaboratively. There should be NO trade-offs of other areas in this process without full negotiation with all affected fishers



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ATTACHMENT 1.

NSW Region 1

Region 1 includes the Tweed, Ballina to Evans Head.

NSW WILD CAUGHT FISHERS COALITION

Compiled by Richard Brown

Region 1 Secretary.

- Food security is a necessity in a world suffering food shortages and facing the effects of climate change. The commercial harvesters of sustainably caught or grown foods (sea and land) require protection via government mandates to ensure future production for domestic and global demand. It would seem an obvious assumption that we would want to protect those who provide humanity with healthy foods and clean water. No longer can we afford to lose the knowledge and skills that commercial food producers/harvesters retain, and not have this passed on to new entrants for future generations to benefit from.
- The commercial sector has very limited new entrants due to a lack of progressive management, a huge lack of promotion within the industry, a barrage of negative publicity from the fanatical environmental sector and from the recreational industry looking to secure further fishing territory at the expense of the communities food providers. There also remains a lack of confidence from institutional lenders having witnessed the debacles of previous government's efforts at managing this industry, to provide funding to enter, grow or expand this industry.
- The precautionary principle vs maximum yield. Robust multi species stock assessments that are peer reviewed and transparent are required to determine a sustainable maximum yield. Without this, we face the loss or underutilisation of a healthy, nutritious protein that is extremely important in providing balance in our diet. We need to test the maximum sustainable yield and use this data to implement the required controls and ensure fair access to the resource in the future.
- Every sector utilising this resource, from commercial, recreational, tourism to indigenous has an obligation to produce validated catch data to ensure a true understanding of stock status. Whilst this requires thinking "outside the box" to determine appropriate methods to gather this data, it remains integral to the mantra of sustainable fisheries management.

Governments must place sustainable food production for the benefit of ALL in our communities, above political aspirations. Politicians come and go, as do terms of government, but food security **MUST** remain non-negotiable.



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- Our industry is unique in that we have such a variety of differing fisheries falling under the “Fisheries” banner. This fragmentation has historically lead to the carving up of the fishing rights originally purchased as a commercial fishing permit. This fragmentation contributed to a difficulty in presenting a representative view that encompassed all involved in this industry, as each sectors needs were inherently different, and at times diametrically opposed. The external perception was that industry was often unorganised, disinterested in adapting to new protocols, not receptive to sharing a public resource and that the commercial sector pillaged fisheries for sole personal gain. Nothing has been done via state fisheries management to assist industry in changing, adjusting or removing this perception. Industry has been forced to stand alone and defend itself, whilst continuing to have its fair access to resource stymied.
- Industry has no faith in the structure of NSW Fisheries Management due to “lack of bang for our buck”, poor decisions lead to changes of government but not fisheries management. Poor ethos and lack of interest in achieving outcomes has seen an exporter reliant on timely processing of documentation, forced to threaten legal action if claims from export customers were placed upon them due to not having documentation in place at time of unload. Management should have acted on this in a far more expedient manner and procured the required information within the timeline they themselves set.

Thanks for the opportunity to express some of our views.

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ATTACHMENT 2.

Submission to the Productivity Commission NSW Region 3 South Laurieton.

NSW Wild Caught Fishers Coalition Inc. Meeting at Laurieton Co-op on Wed 6th April, 2016 @ 2pm.

Present: Chair: Paul Moody

Vice Chair: Rob Baldry

Secretary: Kim Poole

Matt Millward, Chris Harris, Wayne Vassallo, Bill Roelandts.

Paul read Productivity Report Index and discussed the following points:-

- a. Management Fees - Kim Poole stated 20% plus of his taxable income went to MF. Bill Roelandts said 50% was his costs to M. Fees. All agreed that the fees were exorbitant.
- b. Fuel Costs - are approx. 50% as expensive as Management fees.
- c. Boat Restrictions - we support the concept of input controls providing they're used in a sensible manner.
- d. Uncertainty is the cause of fishers being depressed about the future of the industry.
- e. Conservation Areas and Reduced Access to Fishing Areas:- Commercial fishers should have more say in the control of the (their) industry. Poor management decisions over the past 30 years have affected the (their) industry.
- f. Commercial fishing is 'undercapitalised'. Commercial fishers are reduced in numbers and new entrants are rarely coming into fishing.
- g. By Catch - in prawn trawling by catch like flathead & flounder are killed & thrown back - a minimum amount should be allowed due to the amount wasted. This is not resourceful! Fine tuning to each area of fishery needs to be considered. Throwing dead fish overboard is a waste.
- h. Key Influences and Barriers Of Commercial Fishers: - Biggest barrier is the loss of ground and closures.
- i. Bag Limits are affective if recreational fishers stick to them.
- j. Rec's And Pro's:- tension comes from misinformation usually. Recs don't know the Pro's rules. The License fees from Recs should go into management fees, not projects. There are many more recs than Pro fishers.
- k. Illegal Fishing: - mostly black-market in this region due to river closures EG. Mud crabs in the Hastings River.
- l. Number of Fisheries Staff; - Question was raised on how many actual staff work for NSW Fisheries. Why fees and charges are so high & how are they justified?



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- m. Safe food, Fisheries & Waterways. Leave as is. Let sleeping dogs lie.
 - n. Accreditation:- Safe food was introduced after HACCP. Before safe food the industry was regulated by local council. Fishers are inclined to look after product to receive maximum prices for their product, therefore safe food is unnecessary.
 - o. What groups receive the most benefit from management fees?
 - p. Fishers receive the least benefit in relation to costs of management fees.
 - q. Cost Recovery is currently unfair. It is only applied to a small number of people who require licenses from people who make the decision in management roles for those people who actually pay cost recovery.
 - r. Should there be a charge on the use of fisheries to provide a return to the community from the use of marine resources. All said NO.
 - s. Marine Park Reserves: - Naturally they impact on Commercial fishers. Less area means more fishers in a constricted area.
-